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4 In the Matter of

No. G02-45

5 THE APPLICATION REGARDING
6 THE CONVERSION AND
7 ACQUISITION OF CONTROL OF
8 PREMIERA BLUE CROSS AND ITS
9 AFFILIATES

OIC STAFF'S MOTION FOR
PREHEARING CONFERENCE

10 **INTRODUCTION**

11 The Commissioner has scheduled the adjudicative hearing in this matter to commence
12 on January 15, 2004. Thirteenth Order. The OIC Staff respectfully requests that the
13 Commissioner schedule a prehearing conference for the purpose of planning the conduct of
14 the hearing and other related matters listed below *See* RCW 34.05.431; WAC 10-08-130.
15 The OIC Staff requests that the prehearing conference be scheduled as soon as practicable but
16 no later than the week of December 7, 2003.¹

17 **PROPOSED SUBJECTS OF THE PREHEARING CONFERENCE**

18 The OIC Staff proposes that the following matters be considered at the prehearing
19 conference:

- 20 1. Determination of the witnesses who will be filing pre-filed testimony and the format
21 of the pre-filed testimony;
22 2. A schedule for filing and hearing motions in limine;
23 3. The order of presentation of evidence at the adjudicative hearing including the
24 presentation of evidence by the interveners;

25 ¹ The OIC Staff suggests that it may be appropriate for the Special Master to preside at the prehearing
26 conference particularly in view of the role intended for the Special Master at the adjudicative hearing. Sixteenth
Order § 4.

1 4. Time limits for presentation of the parties' cases and witnesses, i.e., limitations on
2 the direct testimony of witnesses who have submitted pre-filed testimony;

3 5. Consolidation of the testimony of witnesses at the adjudicative hearing;

4 6. Stipulations regarding the admissibility of evidence and other matters;

5 7. The timeline for identifying the documents and exhibits that will be used at the
6 hearing;

7 8. A timeline for identifying the witnesses, both expert and lay, who may be called at
8 the hearing;

9 9. Any outstanding discovery issues;

10 10. Scheduling of a final prehearing conference to be held prior to the adjudicative
11 hearing; and

12 11. Any other issues that may be necessary or appropriate to consider for the purpose of
13 aiding in the simplification of the proceedings.

14 RESPECTFULLY SUBMITTED this _____ day of November, 2003.

15 CHRISTINE O. GREGOIRE
16 Attorney General

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18 _____
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20 Attorneys for Office of the Insurance
21 Commissioner's Staff
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